

R. I., alleging that it had been shipped in interstate commerce on or about October 6, 1938, by the J. Sklar Manufacturing Co. from Brooklyn, N. Y.; and charging that it was misbranded.

It was alleged to be misbranded in that it was dangerous to health when used in the dosage, or with the frequency prescribed, recommended, or suggested in the labeling, in which the article was recommended for the prevention and treatment of sore nipples and which contained directions that the shields should be applied as soon after delivery as possible, that in their use the only attention required was to wipe the nipple before nursing and apply the shield again immediately afterwards, and that they were in no way likely to be injurious to the infant.

On August 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

152. Misbranding of Bad-Ex Salts. U. S. v. Dr. Frederick M. Lawrence (American Laboratories). Plea of guilty. Fine, \$50. (F. D. C. No. 97. Sample Nos. 34931-D, 38817-D, 58508-D, 59646-D.)

This product contained tartar emetic. Its labeling bore directions and recommendations that a teaspoonful be taken in a glassful of water when needed, that a teaspoonful be taken in a glassful of cold water on arising in the morning, that children should take one-fourth to 1 teaspoonful according to age, that the salts should be added to the water, stirred, and drunk as effervescence subsided, and that it should never be taken less than a half hour before meals unless otherwise directed. It would be dangerous to health when used in the dosage and with the frequency or duration so prescribed, recommended, or suggested in the labeling.

On November 21, 1939, the United States attorney for the Middle District of Pennsylvania filed an information against Dr. Frederick M. Lawrence, trading as the American Laboratories, at Carlisle, Pa., alleging shipment by said defendant within the period from on or about November 5 to on or about December 10, 1938, from the State of Pennsylvania into the States of Maryland, Missouri, Ohio, and New York, of quantities of Bad-Ex Salts which was misbranded for the reasons stated above.

The article was also charged to be adulterated and misbranded in violation of the Food and Drugs Act of 1906, reported in notices of judgment published under that act.

On December 4, 1939, a plea of guilty was entered by the defendant and the court imposed a fine of \$50.

153. Misbranding of Bull's 1001 Obesity Capsules. U. S. v. 3 Packages of Bull's 1001 Obesity Capsules. Default decree of condemnation and destruction. (F. D. C. No. 1914. Sample No. 6073-E.)

These capsules contained thyroid and small proportions of sulfur, licorice, and nux vomica; and would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which bore directions that 1 capsule should be taken 4 times a day, one immediately after each meal and at bedtime.

On January 31, 1940, the United States attorney for the Eastern District of Wisconsin filed a libel against 3 packages of Bull's 1001 Obesity Capsules at Sheboygan, Wis., alleging that the article had been shipped in interstate commerce on or about March 24, 1939, by J. W. Bull from Chicago, Ill.; and charging that it was misbranded for the reasons appearing above.

On March 8, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

154. Misbranding of Young's Preparation. U. S. v. 36 Bottles of Young's Preparation. Default decree of condemnation and destruction. (F. D. C. No. 2302. Sample No. 537-E.)

This product contained acetic acid; and would be dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling, in which it was recommended for the relief of itching skin and scalp and which bore directions that the bottle be shaken well and the product applied to afflicted parts two or three times a day; that if the parts were raw it should be diluted with water until it could be used full strength and that it was natural for the product to sting when first applied.

On or about July 8, 1940, the United States attorney for the Southern District of Florida filed a libel against 33 bottles of Young's Preparation at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce by O. L. Brunson from Waycross, Ga., on or about May 31, 1940; and charging that it was misbranded in violation of the Federal Food, Drug, and Cosmetic Act for the reasons appearing above.

It was also alleged to be misbranded in violation of the Federal Caustic Poison Act reported in notice of judgment No. 102 published under that act.

On September 9, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

155. Adulteration and misbranding of Cotec. U. S. Thomas E. Connor (The Cotec Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 949. Sample No. 73892-D.)

This product was found to consist of fatty substances and filth, as indicated by the presence of viable micro-organisms. Furthermore, its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 22, 1940, the United States attorney for the District of Massachusetts filed an information against Thomas E. Connor, trading as the Cotec Co., at Lynn, Mass., alleging shipment by said defendant on or about November 22, 1939, from the State of Massachusetts into the State of New Hampshire, of a quantity of Cotec which was adulterated and misbranded. The article was labeled in part: "Cotec, a preparation for all kinds of piles."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

It was alleged to be misbranded in that its labeling bore representations that it was an efficacious and appropriate treatment for all kinds of piles, including blind, bleeding, itching, internal and external piles; would relieve, by absorption, all inflammation of the lower bowel, without an operation; that it was one of the most valuable of all pile treatments and would do all that was claimed for it; that it would reduce all congestion and swelling, and heal all sores, ulcers, and irritated parts immediately; that it would heal while one slept; that it was an efficacious preparation for pile tumors; that it would be an efficacious preparation for the symptoms of the disease (piles), among which are bearing-down sensation, heat, tension, and throbbing of the part, varying from a moderate degree of the sensations to the most excruciating suffering; that it would be an efficacious preparation for prolapsus or fall of the bowels and for various attendant symptoms of piles such as nervous pains, pain and weakness in the back, irritation of the kidneys and bladder, and other organs of the vicinity, pain and numbness in the legs and feet, a sense of straitness about the chest, unnatural fullness of the abdominal viscera, accompanied by palpitation and oppression of the heart, great derangement of the circulation, sense of weight and pressure in the abdomen with peculiar feeling of uneasiness in the bowels, sensation of bearing down in the rectum and perineum, pain in the back and loins, nausea, slight pain in the stomach, scanty and high-colored urine, pale countenance, confused sensation in the head, weariness and irritable and discontented state of mind, sense of fullness and oppression in the region of the stomach, and feeble circulation on the surface; that it was efficacious from the first symptom to the most aggravated type of the disease; that, in conjunction with Cotec Laxative Pills, it would constitute a complete treatment for piles, would reach the seat of the ailment, restore to a healthy condition, prevent the return of piles, and would guarantee to all perfect immunity from the complaint; that if used regularly it would effect a cure; that it would cure quickly and permanently; and that it was the best pile remedy, were false and misleading in that the said article contained no ingredient possessing efficacy in the said conditions, but did consist of a filthy mixture unfit for medicinal use.

On October 1, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$25.